IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

WP(C).No. 16418 of 2007(D)

PETITIONER:

BICHAMINA, W/O.PANDICHERIYA AHAMMED,
VELLIKUNNAM AMSOM, P.O.KADALUNDI,
TIRURANGADI TALUK, MALAPPURAM DISTRICT.

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENTS:
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1. PARAPPANANGADI CO-OPERATIVE SERVICE
BANK LTD., PARAPPANANGDI, TIRURANGADI TALUK,
MALAPPURAM DISTRICT.

2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM.

BY ADV. SRI.K.P.SUDHEER
GOVT. PLEADER SRI.ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 **TRUE COPY OF THE DEATH CERTIFICATE**

EXT.P2 **TRUE COPY OF THE IDENTITY CARD**

EXT.P3 **TRUE COPY OF THE PETITION FILED BEFORE R2**

RESPONDENT'S EXHIBITS

EXT.R1(A) **TRUE COPY OF AWARD DTD. 29-7-02IN CLAIM PETITION NO.3210/01-02**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(C).No. 16418 OF 2007

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Dated this the 3rd day of July, 2007

JUDGMENT

Petitioner claims to be a fisher woman. She is the wife of one Ahammed who died in 2001. They belong to fishermen community. Petitioner's husband availed a loan and now there is an award at the instance of the Bank.

2. I heard learned counsel for the petitioner and the learned counsel for the Bank also.

3. Learned counsel for the Bank submits that even though there is an interim order to pay Rs.20,000/-, petitioner has not paid the amount. Learned counsel for the petitioner does not dispute the fact that petitioner has not paid the amount. He submits that a committee is formed to raise money to help the petitioner. Learned counsel for the petitioner prays that Bank may be directed to consider the question of remission of interest and giving her time/permitting her to pay the amount in instalments. Learned counsel for the Bank submits that if the

petitioner files an application and remits the amount as directed by this court, the Bank will take a decision in the matter.

Having regard to all facts, the writ petition is disposed of as follows:

If the petitioner files an application seeking relief before the first respondent within three weeks from today and also remits the amount of Rs. 20,000/- on or before the filing of the application, the first respondent will consider and take a decision in the matter and communicate the decision to the petitioner. Till such time as a decision is taken and communicated to the petitioner, proceedings shall be kept in abeyance. Of course, this is subject to the condition that petitioner remits the amount of Rs.20,000/- and files an application as aforesaid.

(K.M.JOSEPH, JUDGE)

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